

COURT
OF MASS.

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2004 SEP -3 P 4: 14

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ROBERT P. GOODRICH,

Petitioner,

v.

TIM HALL,

Respondent.

Civil Action No. 03-12541-NG

ASSENTED-TO MOTION TO IMPOUND

The respondent, Tim Hall, through counsel, hereby respectfully requests that the Court impound his Memorandum of Law In Opposition to Petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, filed on the same date as this motion. As grounds for this motion, the respondent states that the Memorandum of Law incorporates segments of the transcript of the grand jury proceedings in the petitioner's state criminal case, and that such grand jury minutes are to be treated as confidential.¹ The respondent further asserts that this Court has previously granted assented-to motions to impound both the Supplemental Answer in this case and the Petitioner's Memorandum of Law. *See* Orders dated April 6, 2004, and July 22, 2004. Moreover, Petitioner's counsel does not oppose this motion and granting this motion will not cause prejudice to any party.


WHEREFORE, for the foregoing reasons, respondent respectfully requests that this Court

¹ The facts and circumstances regarding the inclusion of the grand jury testimony are set forth in greater detail in the respondent's Assented-to Motion to Impound, filed on March 11, 2004. The respondent incorporates that motion by reference herein.

impound the respondent's Memorandum of Law In Opposition to Petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, filed herewith.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL


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Dated: September 3, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon counsel for the petitioner, Robert P. Goodrich, on September 3, 2004, by depositing the copy in the office depository for collection and delivery by hand to Jill L. Brenner, Esq., counsel for the petitioner, Connelly, Conroy & Gelhaar, One Beacon Street, 33rd Floor, Boston, Massachusetts 02108.


Maura D. McLaughlin